

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:08cv182
(3:07cr54)

MITCHELL GATEWOOD,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER

THIS MATTER comes before the Court upon Petitioner's Motion to Vacate, Set Aside, or Correct Sentence. (Doc. No. 1).

The Court has considered the motion and the record of prior proceedings and determined that the United States Attorney should file an answer an Answer addressing, at this time, only Petitioner's claim that his former attorney failed to file a direct appeal when requested to do so.

THEREFORE, IT IS HEREBY ORDERED that no later than thirty (30) days from the filing of this Order, the United States Attorney shall file an Answer to Petitioner's Motion to Vacate, Set Aside, or Correct Sentence addressing Petitioner's claim that his attorney refused to file a direct appeal in his criminal case.

Signed: June 24, 2008



Robert J. Conrad, Jr.
Chief United States District Judge

